



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,605	02/19/2002	Jun Fujimoto	401578	2306

23548 7590 04/27/2005

LEYDIG VOIT & MAYER, LTD
700 THIRTEENTH ST. NW
SUITE 300
WASHINGTON, DC 20005-3960

EXAMINER

SHAPIRO, JEFFERY A

ART UNIT	PAPER NUMBER
----------	--------------

3653

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
10/076,605	FUJIMOTO, JUN	
Examiner	Art Unit	
Jeffrey A. Shapiro	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/26/05 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-5, 7, 8, 17-20, 23-27, 29 and 30 are rejected under 35 U.S.C. 102(a) as being anticipated by Heidel et al (US 6,289,261).

Heidel discloses the following.

As described in Claim 1 and 23;

- a. a game-related device (14) having a currency holding section (16) for holding currency;
- b. a portable safe (18) removably attachable to said game-related device, and functioning as said currency holding section when attached to said game-related device; and

c. a currency control device (16) to which said portable safe is removably attachable, said currency control device providing for at least one of

- (i) transferring currency into said portable safe (18) from said currency control device (16) (see col. 8, lines 41-48) and
- (ii) transferring currency held in said portable safe from said portable safe to said currency control device, said portable safe being transportable between said game-related device and said currency control device;

(Note that Heidel's currency control device provides case (i) listed above.

Only one of (i) and (ii) is required to meet applicant's claim language.

Note that Heidel's currency control device has a currency holding section.

Additionally, Heidel's computer (96), seen in figure 10, can be alternatively construed as a currency control device.)

As described in Claims 2 and 24 ;

- d. said currency holding section (16) provides for at least one of
- (i) holding currency inserted from outside the device and
 - (ii) holding currency to be discharged outside the device;

(Again, note that Heidel's currency holding section (16) meets both case (i) and (ii), since currency is inserted into the device from outside it and currency is then discharged from it.)

As described in Claim 3 and 25;

e. a system control computer (see col. 3, lines 46-51) providing unitary control of quantities of currency in said game-related device, said portable safe, and said currency control device;

As described in Claims 4 and 26;

f. an anomaly detection device for detecting an anomaly occurring in said portable safe (note, for example, the detection of jams in said cassette, verification of cassette memory, errors, double feeds, non-removed bills, and overpayment—see fig. 11, elements (98, 104, and 110), fig. 12, elements (120 and 124), fig 13a, elements (138 and 158), fig. 14-2, element (196), fig. 15, elements 206, 208 and 220) and fig. 16, elements 234, 240, 250, 252, 256, 258 and 260);

As described in Claims 5 and 27;

g. said anomaly detection device detects an anomaly when said portable safe is not attached to one of said game-related device and said currency control device (see figure 10, which illustrates a possible docking device outside of the game device from which anomalies may be downloaded and read);

As described in Claims 7 and 29;

- h. an anomaly notifying section for issuing an anomaly notification when said anomaly detection device detects an anomaly (see figs 11-16, cited above, which illustrate notification means such as audible sounds, display indications, etc.—for example, in figure 11, element (106) concerns a “flag bill hopper inoperative” step, which can be construed to be an anomaly notification);

As described in Claims 8 and 30;

- i. said anomaly detection device detects a destructive anomaly for said portable safe (note that memory verification can be construed to indicate a destructive anomaly—note also that this is equivalent to a “tilt” indication found in most vending machines and pin-ball machines—see col. 9, lines 45-47);

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6, 9-20, 21, 22, 28, 31-38, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidel et al (US 6,289,261) in view of Tillim et al (US 6,065,408), further in view of Kaish et al (US 5,997,928) and further in view of Martin et

al (US 6,520,308 B1). Heidel discloses the apparatus described above. Note also that the subject matter of Claims 4, 5, 7 and 8 were rejected above, and correspond to Claims 17-20, dependent from Claim 16 and Claims 39-42, dependent from Claim 38. Heidel further discloses the following.

As described in Claims 12 and 34;

- j. attaching said portable safe to and removing said portable safe from said game-related device or said currency control device requires an identifier of an authorized operator to be inserted into said game-related device or said currency control device (see col. 10, lines 17-19);

As described in Claims 16 and 38;

- k. said housing includes
 - aa. a currency insertion window section (26),
 - ab. a currency discharging window section (36),(Note that coins and paper notes/bills are both considered currency.)

Heidel does not expressly disclose, but Tillim discloses the following.

As described in Claims 6 and 28;

- l. said anomaly detection device is located on said portable safe (note that controller (54) and all other sensors, etc. are located onboard the "portable safe (10));

As described in Claims 9, 21, 31 and 43;

m. said anomaly detection device detects an anomaly when said portable safe is neither attached to said game-related device nor to said currency control device for too long a time (see col. 4, lines 57-67 and col. 5, lines 1-7);

As described in Claims 12 and 34;

o. an operator's card holds the password or identifier of an authorized operator to be inserted into said game-related device or said currency control device (see col. 4, lines 44-46, noting that a "preprogrammed code carry key" is construed as an operator's card);

As described in Claims 13 and 35;

p. said operator's card has an operator's code recorded thereon (see col. 4, lines 44-46);

q. said system control computer (54) has the operator's code registered in advance and corresponding to the operator, and

r. agreement of the operator's code recorded on said operator's card with the operator's code registered in said system control computer is at least one condition for determining authority of an authorized operator (see col. 4, lines 40-49, noting that the operator's code would have to be preprogrammed into said code carry key);

As described in Claims 10, 22, 32 and 44;

s. said anomaly detection device includes a positional anomaly detection device (66) detecting an anomaly based on position of said portable safe;

Heidel does not expressly disclose, but Kaish discloses the following.

As described in Claims 14 and 36;

t. the operator's code recorded on said operator's card includes an operator's peculiar code peculiar to the operator and a random number generated and affixed to the peculiar code when a specified event occurs; (Note that one of ordinary skill in the art would have recognized that in order to implement a key card with a unique programmed code number, as taught by Kaish, that information can be attached to said code.)

As described in Claims 15 and 37;

u. said portable safe exchanges information in wireless communication with said game-related device to which said portable safe is attached or with said currency control device to which said portable safe is attached (see col. 3, lines 58-67, which describes using wireless to transmit information with a central controller as well as col. 3, lines 40-50);

As described in Claims 16 and 38;

- v. an antenna located on said housing for exchanging information in wireless communication with said game-related device and said currency control device (see col. 3, lines 58-67),

As described in Claims 11 and 33;

- w. said positional anomaly detection device is located at a position separate from said portable safe (see col. 3, lines 65-67).

Heidel does not expressly disclose, but Martin discloses the following.

As described in Claims 16 and 38;

- x. said housing includes
 - ac. a first shutter plate (17)(see figure 41)closing said currency insertion window section,
 - ad. a second shutter plate closing said currency discharging window section (note that it would have been obvious to provide a gate for each opening for security purposes),
 - ae. a lock mechanism for locking said first and second shutter plates (note that the lock can be construed as a solenoid or motor (19), which prevents the mechanism that moves the gate from moving—note also that it can be argued that it would be obvious to

lock the gate as the gate is for sealing off the opening for security purposes), and

af. an unlocking mechanism for unlocking said lock mechanism upon detecting attachment of said portable safe to said game-related device or said currency control device (see col. 9, lines 46-49, which states that the gate may be "controlled to open or close for a number of purposes");

Heidel, Tillim, Kaish and Martin are all considered to be analogous art because they all concern currency handling.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have placed the anomaly detection device and include a position detection device on the portable safe of Heidel, as is done with Tillim's apparatus.

The suggestion/motivation would have been to prevent theft of the valuables inside the safe. See col. 1, lines 14-18 of Tillim.

It would also have been obvious to provide wireless communication of the portable safe of Heidel as is done in Kaish.

The suggestion/motivation would have been to provide remote communications of security status of the safe and the items in the safe. See col. 3, lines 40-67 of Kaish. For example, the wireless transmitter of Kaish allows the tracking of stolen or mislocated vending machines. See col. 3, lines 65-67. It would have been obvious to

use Kaish's teaching for using wireless transmission to track portable safes as they would portable vending systems, since they both contain valuable items.

Additionally, it would have been obvious to provide gate means to secure the token receiving and dispensing openings in the portable safe, as is done in the apparatus of Martin.

The suggestion/motivation would have been to secure the gate in response to various circumstances, such as in the case of a jam in the transport path. See Martin, col. 9, lines 45-49.

6. Claims 1 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siemens (US 6,659,340 B2) in view of Heidel et al (US 6,289,261).
Siemens discloses the following.

As described in Claims 1 and 23;

- a. a currency vending device (10) having a currency holding section (12) for holding currency;
- b. a portable safe (46) removably attachable to said currency-vending device, and functioning as said currency holding section when attached to said currency vending device; and
- c. a currency control device (16) to which said portable safe is removably attachable, said currency control device providing for at least one of

- (i) transferring currency into said portable safe (46) from said currency control device (16) (see col. 9, lines 5-20) and
- (ii) transferring currency held in said portable safe from said portable safe (46) to said currency control device (16), said portable safe being transportable between said currency vending device and said currency control device;
(see col. 9, lines 5-8, which states that “[i]n order to unlock canister (46), an unloading station or device that simulates or replicates the functionality of device (10) may be used.” This at the very least implies transferring currency from said safe (46) to said currency control device (16).)

(Note that Siemens' currency control device provides at least case (i) listed above. Only one of (i) and (ii) is required to meet applicant's claim language.)

Siemens does not expressly disclose, but Heidel discloses using a game related device (14) with a currency holding section and portable safe (16).

Both Siemens and Heidel are considered analogous art because they both concern currency handling.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used Siemens' portable safe system in a game related device.

The suggestion/motivation would have been that both a currency vending machine and a game related device receives and disperses currency. One ordinarily skilled in the art would have recognized that such a currency handling system as Siemens' would work equally well in a game related device, or any other device which handles currency, and therefore requires currency tracking and security.

7. Claims 1 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al (US 6,712,219 B2) in view of Heidel et al (US 6,289,261).

Kobayashi discloses the following.

As described in Claims 1 and 23;

- a. a currency vending device (1) having a currency holding section for holding currency (see figure 1);
- b. a portable safe (11) removably attachable to said currency vending device, and functioning as said currency holding section when attached to said currency vending device; and
- c. a currency control device (5) to which said portable safe is removably attachable, said currency control device providing for at least one of
 - (i) transferring currency into said portable safe (11) from said currency control device (5) (see abstract) and
 - (ii) transferring currency held in said portable safe from said portable safe (11) to said currency control device (5), said portable

safe being transportable between said currency vending device and said currency control device; (See abstract.)

(Note that Kobayashi's currency control device provides at least case (i) listed above. Only one of (i) and (ii) is required to meet applicant's claim language.)

Kobayashi does not expressly disclose, but Heidel discloses using a game related device (14) with a currency holding section and portable safe (16).

Both Kobayashi and Heidel are considered analogous art because they both concern currency handling.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used Kobayashi's portable safe system in a game related device.

The suggestion/motivation would have been that both a currency vending machine and a game related device receives and disperses currency. One ordinarily skilled in the art would have recognized that such a currency handling system as Kobayashi's would work equally well in a game related device, or any other device which handles currency, and therefore requires currency tracking and security. Additionally, see also col. 1, lines 43-59 of Kobayashi, which states that Kobayashi's system solves the problem of opening the door of the housing and pulling out bill accommodation boxes, which compromises security.

Response to Arguments

8. Applicant's arguments filed 1/26/05 have been fully considered but they are not persuasive. Applicant asserts that the prior art does not read on Applicant's claims. In particular, Applicant's independent claims require only one of two cases, (i) transferring currency into or (ii) transferring currency out of said portable safe. Heidel, as described above, discloses at least case (i). See Heidel, col. 8, lines 41-48. Regarding the term "remote", Merriam-Webster's Collegiate Dictionary, 10th ed. Pp. 989 and 990, as

1. separated by an interval or space greater than usual;
2. far removed in space, time or relation;
3. out-of-the-way, secluded;
4. acting, acted on, or controlled indirectly from a distance;

Applicant's use of the word "remote" can be interpreted as any of these definitions, and still be construed in a broad fashion, inviting the use of prior art, such as Heidel. For example, Heidel's element (16) can be construed as being next to element (18). However, in the alternative, they can also be construed as being remote from each other, separated by a gap. There are no requirements on particular size of the gap between them. This gap can be construed as greater than usual. There is no standard on which to base an opinion on what is standard. It could be two inches, which if the gap becomes 2.01, becomes a gap larger than usual.

Regarding Kaish, note that this reference is used for its teaching on solving security concerns with the collection of data on a vending type system, in this case,

Art Unit: 3653

concerning the vending of Kosher foods. However, although vending Kosher foods is not the same as vending currency, the problems of cash, inventory location and device status remain the same. Therefore, it would have been obvious for one ordinarily skilled in the art to have looked to Kaish for its teaching on using wirelessly transmitting such data.

Regarding Martin, this is considered to be in the same field of endeavor, currency handling, and is used for its teaching of providing a security gate to close currency slots, such as a bill slot depending on certain security criteria. Despite not having a second gate, it would still have been apparent to one of ordinary skill to have used a security gate on any one or more currency slots used in the apparatus of Heidel.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Awatsu '826, Tutamune '698, Izawa '837 and '716, Dabrowski '788, Shepherd '938, Haycock '672, Schulze '531 and Dethloff '873 are all cited as currency handling apparatus.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (571)272-6944. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro
Examiner
Art Unit 3653

April 25, 2005



DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600